# World Chronicle

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**GUEST:** Mary Robinson
United Nations High Commissioner
For Human Rights

**JOURNALIST:** Raghida Dergham, Al-Hayat of London
Joe Lauria, The Boston Globe

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## HUMAN RIGHTS

There can be no real peace and security without human rights. Unless people's rights are respected, the promotion of economic and social development cannot be achieved. At the dawn of a new century, the world is still plagued with incidents of ethnic hatred and acts of genocide. People are still victims of xenophobic attitudes and are subjected to discrimination because of religion or gender. Is there hope for better days? In this edition of **World Chronicle**, Mary Robinson, United Nations High Commissioner for Human Rights, talks about the present difficulties and challenges ahead in the field of human rights.

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**ANNOUNCER:** From United Nations Headquarters in New York, this is **World Chronicle**, an unedited interview programme about major global issues.

Here now to introduce our guest is the host of today's **World Chronicle**.

**LITTLEJOHNS:** I'm Michael Littlejohns, and this is **World Chronicle**.

The Universal Declaration of Human Rights, adopted by the United Nations in December 1948, is the most translated document in the world. Available in more than 300 languages and dialects, the Declaration was one of the first major achievements of the United Nations. In spite of the universality of the Declaration, the outlook for rights standards during the twenty-first century appears to be bleak as gross human rights violations continue to be perpetrated around the globe. Is there reason for hope for better days? Will human rights ever be respected?

Our guest today is Mary Robinson, the UN High Commissioner for Human Rights. Joining me to talk with Ms. Robinson are Joe Lauria of *The Boston Globe* and Raghida Dergham of *Al-Hayat of London*.

Ms. Robinson, welcome to **World Chronicle.**

High Commissioner, you were the President of Ireland, as is well-known, before becoming the High Commissioner for Human Rights about two and a half years ago, do you feel that you've made an impact on the human rights situation since you moved into this new position?

**ROBINSON:** Well, it's certainly been a challenge but I think the answer is yes, particularly in ensuring that the wider United Nations system takes on board the values and the concepts and works from a human rights perspective. That was always intended to be the case in the Charter but somehow it slipped a bit on the agenda. And I think it's very much the leadership of Secretary-General Kofi Annan that he specifically asked me as High Commissioner to integrate, to mainstream human rights throughout the system. And I can see that very much. I can see it for example in the development work that the UN does through UNDP. It's now looking very much at the way in which human rights and development go hand in hand and that it is important to put focus on the rule of law, on good governance, on tackling corruption and all of those do have human rights implications.

**LITTLEJOHNS:** Your predecessor, who was from Latin America, was accused, shall we say, of tempering the wind to the shorn lamb. Do you feel that you have been a more aggressive Human Rights High Commissioner?

**ROBINSON:** I think my distinguished predecessor, Jose Ayala Lasso, had a particularly difficult task because he was the first and the Office, although it was created after the world conference wasn't well thought out and well-resourced and well-knit into the system.

**LITTLEJOHNS:** So it really wasn't his fault?

**ROBINSON:** I think he had particular difficulties. One of the challenges, as far as I am concerned, has been to try to shape the Office and we've gone a long way. It's become an operational office with field presences in 23 countries, with a queue of countries wanting technical cooperation projects with us, with a strategy now to operate in different regions and sub-regions and to use that framework to encourage cooperation and capacity-building in human rights. There are two aspects, I suppose, two main challenges. One is to embed a culture of human rights and to help capacity building, to put emphasis on human rights education because unless we do that we won't have the real depth of culture of human rights that must come about.

**LITTLEJOHNS:** Did you feel it's working?

**ROBINSON:** I think this is working. I think that countries genuinely do want now to take the 50 years of international norms and standards that we built up and to bring them to country level. The other side, as you said in your introduction, is more difficult. We still, unfortunately, have gross violations of human rights. And I'm putting a lot of emphasis, as others are, on prevention and how do we work together in all kinds of partnerships, including with civil society, to prevent gross violations. When they occur, I have to be a voice for the victims. I have to go to the places and be on the side of very vulnerable people who don't have a voice. That's a very challenging and a very important part of the work.

**LAURIA:** Mrs. Robinson, thanks for being here. You have to be one of the busiest UN officials around. I'd like to ask first of all, and then perhaps follow-up, a question about your independence. Do you feel that you have as much independence as you need to do your job?

**ROBINSON:** I do, yes, although that does not necessarily make it easy. I have one agenda which is the human rights agenda and I am a High Commissioner of the United Nations. So I'm not an NGO, nor are my colleagues who work with me so we work in the context of the UN's approach to human rights bringing the international norms and standards to country level, committing governments to the obligations they have undertaken,

addressing issues from that perspective. But I suppose because I essentially came into this job to do it in an independent way in that sense but it's an independence within the framework of the Charter and the obligation ....

**LAURIA:** You mentioned NGOs. For example, Amnesty International and Human Rights Watch will take on just about anyone whereas there are certain issues that I wonder whether you feel you are able to do. Let's say the situation of women which is, as you know, a very big issue in Saudi Arabia, or police brutality in the United States, I mean the issues you have spoken about. Chechnya. And China have been traditional foes of the West. I guess my question is, do you look for a green light from Western governments to speak out against those two countries, particularly Chechnya, because there was some reluctance to bring that up here for sometime, or do you feel that you can speak about any issue?

**ROBINSON:** No, I don't have to seek any green light. Obviously, I work very closely with and am very supported by the Secretary-General. I work to him if I'm looking for any kind of guidance or green light. And I do place a very high priority on the integrity of the office. It does not have political power as such. It draws strength from a moral authority and you only have moral authority if you do have integrity and that means independence and that means having a balance. One of the balances that I place a lot of emphasis on, which is very important I know to developing countries, is that I place the same heavy priority on progress on economic, social and cultural rights as on civil and political. We must be equally strong on both sets of rights and we have to really commit to the right to development, to making progress on that. I try not to be selective that's why I address the death penalty in the United States, prison systems and other issues. During the Kosovo bombing I spoke out about the need to have concern for proportionality in a bombing campaign, the plight of civilians in Serbia for example, and took some stick for that, if you like. But that's my job.

**LAURIA:** Did any government ever try to stop you from speaking out?

**ROBINSON:** I've had criticism of what I've done from a number of governments and issues have been raised at times. I mean, am I exceeding my mandate. And I've explained that my mandate is a very broad mandate and is essentially a human rights mandate that requires me to speak out. I don't expect to be free of criticism in what I am doing but I hope that I can retain both an independence and objectivity and above all the integrity of the work because I'm aware that I symbolize the work of all human rights

defenders and therefore it's an important responsibility.

**DERGHAM:** Madam, you've recently been to China from your point of view what impact did your visit leave behind? How do you think your visit helped the human rights situation in China? And as we know the Russians have been resistant to your possible visit to Chechnya. How do you account for their resistance and isn't that the politics that I think that Joe was talking about, the pressures of governments delaying your trips or making them not happen at the time when they should?

**ROBINSON:** Well, if I can take first the visit to China. In fact, it was my third visit to China. I had an official visit there in September of 1998 and while there I signed a Memorandum of Intent to develop a technical cooperation programme with China because China has signed the two major covenants and needs to work out the details of changes in law and procedure, and indeed, a whole approach to human rights in order to ratify the two covenants. I was briefly in Beijing en route to Macao for the formal handover of Macao. I think the fact that I was invited both by China and Portugal, again symbolized that human rights was present at the handover of Macau. Is an importance because China has accepted the reporting obligations under the two covenants both for Hong Kong and for Macau. So it's already accustoming itself to reporting on those two parts of what's now a Chinese territory. And on this occasion I think the visits achieved a number of positive results. First of all, this year China is hosting the workshop, the annual workshop, of the Asia and Pacific Region. There were 40 countries government representatives. There were NGOs like Amnesty and Human Rights Watch and the International Commission of Jurists and there were six national human rights institutions from the region all discussing various human rights issues. It was very well-organized and China chaired in a very committed and in a positive way. I had further discussion with the representatives of China about this technical cooperation programme and we have committed to concluding a Memorandum of Understanding in the second half of this year. And I also spoke out about my concern about a deterioration in specific areas. There was progress in economic and social rights, progress in criminal procedure reform but there is a deterioration in relation to freedom of expression, freedom of religion, freedom of association. Very key areas. And I felt it necessary not just to deal with those issues privately with government representatives, as I did, but also to speak out because I'm trying to really spell out what is meant by a commitment to a culture of human rights. And my criticism caused concern, I think, to the Chinese authorities but they accepted, I

hope, the integrity of the criticism. Turning to the second part of the question in relation to the Russian Federation, again, I had a very good working visit, official visit, to Russia last June and concluded an agreement for a technical cooperation project. And then there was a very serious situation in Chechnya. I had expressed my concern. I had sought to send an envoy to be there, hopefully, for a longer period than I could be there as High Commissioner. That was not acceptable. And I was pressing to visit and I would have liked to visit it earlier but I'm ....

**DERGHAM:** But that's exactly the point. As you said a little earlier, you needed to be there at the right time also by the victims, not only to be the voice of the victims. So if you're not there at the right time, such as the case with Chechnya – you have not been to Afghanistan where there is also reported violations of human rights and I'm sure there are many other places in the world – how harmful is it to your task from your point of view, and do you feel that it's beneficial to speak out afterwards?

**ROBINSON:** Well, I think it's important to recognize that there are others who are also involved and there have been envoys. And the High Commissioner of the Council of Europe, Mr. Gil Robles, has been and I've been in touch with him. There are special rapporteurs as for example the Special Rapporteur of Afghanistan and I keep in very close contact and support his mandate and I have a Human Rights Officer working with the UN team in Afghanistan. So it would be wrong to say that one person has to personify. I work with colleagues, I work with the whole system of thematic and country rapporteurs. I support the treaty bodies who also have an important role in ensuring that countries abide by their obligations. So it's not a case of I'm not doing the job if I'm not there personally, it's a case of trying to maximize the impact. And I hope that it will be possible to address the way in which serious allegations of human rights violations in relation to the war in Chechnya, to see how they are being investigated, to see how those who are being held what conditions they are being held under, to have access, to have an international monitoring presence there. These are the issues that I seek to follow up.

**LAURIA:** Ms. Robinson, I would like to ask you about the Pinochet case. I don't know if you have commented on it before. Did you agree with the British Home Office's decision to let him go?

**ROBINSON:** I have commented a number of times on the Pinochet ruling. I particularly commented of course at the time of the landmark decision of the House of Lords

because I believe this was a very important breakthrough in jurisprudence and these are the building blocks of protection of human rights. The fact that there wasn't the immunity of a head of state. When it was envisaged that General Pinochet would be released and allowed to return to Chile on health grounds, I made it clear that I believe that this jurisprudence remained as a very important landmark regardless of the outcome for the individual. But I think it is important that a number of countries pursued the issue and showed their concern and that also in Chile the matter is being pursued. And we're seeing in courts of many regions now, for example in Senegal and elsewhere, courts assuming responsibility sometimes for universal jurisdiction which I think is really very important. It's a developing area of jurisprudence.

**LAURIA:** You think the landscape has changed?

**LITTLEJOHNS:** This is **World Chronicle**. Our guest is Mary Robinson, the UN High Commissioner for Human Rights.

Mrs. Robinson, the situation in Africa is there any improvement there? I'm looking at some of the documentation for this programme. I saw references to systematic torture in Cameroon, trafficking children in Morocco, terrible things in Democratic Republic of the Congo and Burundi -- are there some bright spots in Africa?

**ROBINSON:** Yes. There is a commitment of a significant number of African countries to engage in this capacity-building that I've emphasized and we have technical cooperation projects with significant number of African countries. Africa is developing national human rights commissions probably more rapidly than other regions and we are bringing them together to compare. The South African National Human Rights Commission is very strong but Uganda has one, Rwanda recently established one, and Malawi. And these are very important. Also the Africa-wide institutions -- the African Commission for Human and People's Rights -- we are supporting. It needs more strengthening and resourcing because it has a very important mandate. And there is a commitment to an African Court for Human and People's Rights. Despite that, as you have said, there are very serious problems and sometimes they are difficult to address and move forward positively. I was in Sierra Leone, for example, in June and subsequent to that my Office has helped to work on and to support the government in establishing a Truth and Reconciliation Commission and we're working also on the National Human Rights Commission. And yet, the overall situation politically is quite fragile and it needs more support and attention and I'm glad that there has

been the commitment of peacekeeping troops. None of these are easy issues but it's so important to engage in a mixture of prevention and support for capacity-building and it is also important to see the positive side of what's happening in African countries and particularly, the interest in developing the structures of a culture of human rights to building up the judiciary system, having the rule of law. I have African leaders coming, pleading with us for more technical cooperation and I know that's also true of the development arm of the United Nations.

**LITTLEJOHNS:** Joe you were about to ask a question when I butted in with the mid-show ID.

**LAURIA:** No, I was just finishing my question.

**DERGHAM:** May I take you to the Middle East where it's quite an interesting area and a different dimension. Let me start with one particular place, Israel as an occupying power of the Lebanese territory and of the Palestinian territory. There have been several human rights organizations who have been critical of Israeli human rights violations of people under occupation, Palestinians or Lebanese. Do you share that view and have you discussed this with the Israeli authorities? Have you made any demarche on that?

**ROBINSON:** Well, as you know, there is also the role of the Special Rapporteur for the Occupied Territories and I work closely with him. He has just came back and he'll be submitting his report to the Commission on Human Rights. So I do raise issues but there is a whole broader system that the United Nations has established. And I not only address particular issues but I would hope to pay a visit to the Middle East as High Commissioner and I have been discussing with the Permanent Representatives of the countries.

**DERGHAM:** But do you share that view that the Israelis have been violating the human rights of Palestinians and Lebanese under occupation and you must know enough about the subject. You are vocal enough on many other issues do you hesitate to be vocal on this one?

**ROBINSON:** I am not hesitating to be vocal on it but it's a very global question in a very complex system. And as I say, because of the complexity of it, there are mechanisms that have been established and I don't cut across the Special Rapporteur's mandate particularly because he has just been there and is going to report on the current situation. I have raised as my concern, for example, about the bombing of civilians in South Lebanon recently, as the Secretary-General did, and there is a need, I believe, in the context

of the Middle East, for each of the countries to put more emphasis also on the language and culture of human rights in the developing peace process. And I have taken the opportunity to raise this.

**DERGHAM:** Just so we would be on a subject which is probably less controversial, which is not actually not at all, is the issue of sanctions in Iraq. Of course, there are violations of human rights by the Iraqi authorities in Iraq and the Rapporteur has not been able to go there as you know. That is a very clear issue. But there's also an argument that sanctions have really violated the human rights of the Iraqi people who are not responsible for what the regime does. Do you believe in that view? Do you believe that there is a need to speak about human rights as affected by sanctions? Comprehensive sanctions I am talking about.

**ROBINSON:** My Office has been studying the position in Iraq and the human rights dimension of the impact of the sanction, particularly on the most vulnerable sectors of the community. And we have been discussing that in various components of the UN currently, including the Executive Committee on Humanitarian Affairs. We will be raising it at the future meeting of the Committee. It will be on the agenda because of the work of our Office.

**DERGHAM:** To do something about it?

**ROBINSON:** Yes.

**DERGHAM:** You don't know exactly. What are you thinking of?

**ROBINSON:** Well, I think it is important to recognize that there is a political dimension and there is a humanitarian dimension and what I'm also saying is that the humanitarian dimension is so serious. It has raised human rights issues and I think our office can and is playing a role in identifying and bringing home to other parts of the UN the importance of recognizing this.

**LITTLEJOHNS:** High Commissioner, do you consider that the death penalty is a violation of human rights?

**ROBINSON:** I'm very glad that more and more countries are realizing that the abolition of the death penalty is a great step forward for human rights and I welcome the fact that in recent years in the Commission of Human Rights more and more countries have committed themselves to the resolution . And to that effect more and more countries have either had a moratorium or have in fact abolished the death penalty. The Cote d'Ivoire has

recently announced, for example, that t's going to take steps and that would be another country. So it is an important issue in that regard. I recognize that certain countries feel very strongly on the issue and don't agree with this point but I think the progress we have made in identifying the issue of the death penalty as being one that does not advance in the values of human rights and in fact it's an issue that goes against ....

**LITTLEJOHNS:** And it is doesn't really deter crime would you say?

**ROBINSON:** Well, again I think the serious studies have shown this but it is an issue of controversy I know in certain countries.

**LITTLEJOHNS:** Here in the United States, Clinton is in favour of it and both of the candidates to the best of my knowledge are in favour of it.

**ROBINSON:** And I have expressed my deep concern. My concern in particular about the death penalty being used for crimes perpetrated by juveniles, by those who suffered from a disability at the time, where it looks as though there were serious breaches of international provisions or relations, or access to consular advice. I will continue to raise those issues.

**LITTLEJOHNS:** The woman who was executed in Texas recently did you raise her case with Governor Bush?

**ROBINSON:** I have, Yes, I have.

**LITTLEJOHNS:** You did?

**ROBINSON:** Yes.

**LAURIA:** There have been two watershed events in the last few years with regard to human rights. One we mentioned earlier, the Pinochet case, which seems to have changed the dynamic, and the other was the intervention in Kosovo. I take it perhaps that you weren't in favour of such a move to intervention and do you think that perhaps some of them are tainted by questions of race or economic interest or strategic interest? In other words, if the economic strategic interests isn't there, there might not be intervention and if the race is wrong, they might not be either.

**ROBINSON:** I think there has to be a real concern, a deep thinking about the basis on which it is appropriate to have intervention. And of course this was an issue that the Secretary-General raised in the General Assembly and invited States to think about. The Charter provides for intervention in certain defined circumstances and it is an issue that troubles a lot of countries. My position as High Commissioner for Human Rights is that

human rights themselves don't stop at borders. We have to be concerned but we have to also recognize the primary responsibility of States to protect the human rights of their citizens and of those whom they have power over basically. And so I think we have to recognize the right to intervention under the Charter and look at how we can not only have the progress that we have made in ensuring that States cannot plead their sovereignty and violate human rights, and at the same time recognize that unless the intervention is under the auspices of the United Nations it will cause criticisms of selectivity or criticisms of political motivation.

**LAURIA:** Do I have time for another one? I would think one of the problems that probably exists is culture or religion. For example, the Chinese think this is a Western idea of human rights or if you deal with Islamic countries, Islamic tradition, Islamic law, perhaps those things that we in the West think are violations of human rights, how do you deal with that issue?

**ROBINSON:** I think it was very useful during the Fiftieth Anniversary of the Universal Declaration to discuss as we did in great detail and there was a reaffirmation of the universality of human rights. It was very much at the heart of the Vienna World Conference in 1993 and I have found that in the regional context, for exampl, there is an acceptance of the universality of the norms and standards. But there is a recognition that within regions there are, for example, economic differences, cultural differences. And as long as they don't take from the universality of human rights it's good to recognize those regional particularities and indeed to work within them and build on those but build from the point of view of universality.

**LITTLEJOHNS:** Raghida, we have about a minute left.

**DERGHAM:** Yes, quickly. Where is there a region or a country where you feel the gravest, if you will, violation of human rights and where is the success story in reversing the violations?

**ROBINSON:** There are countries like Myanmar, for example, where really there is no respect for human rights and that's a very serious situation. I think I would say on the other hand, that all countries have problems on human rights. Some countries, when their representative comes to speak about human rights with me, think human rights has problems in other country. But I always begin with the country of the representative and say, "Well, no, look at your country." There are problems, including my own native country, Ireland -- problems of asylum seekers and refugee seekers. I'd like to see changes in the law

and so I address the problems and there is no perfect country.

**DERGHAM:** And the success story?

**ROBINSON:** Well, as I say, I think the success is the fact that....

**DERGHAM:** Would it matter? Would it make a difference?

**ROBINSON:** I think that's in some ways for others to judge but I think we are seeing an interest in linking human rights and development. An interest in embedding a culture of human rights and a concern to address human rights violations....

**LITTLEJOHNS:** Ms. Robinson, that's all the time we have. Thank you for being with us on this edition of **World Chronicle**. Our guest has been Mary Robinson, the UN High Commissioner for Human Rights. She was interviewed by Joe Lauria of *The Boston Globe* and Raghida Dergham of *Al-Hayat of London*.

I'm Michael Littlejohns. Thank you for joining us. We invite you to be with us for the next edition of **World Chronicle.**

**ANNOUNCER:** Transcripts of the programme may be obtained free of charge by sending a stamped, self-addressed envelope to **World Chronicle**, United Nations, Room S-827L, New York, N.Y., 10017.

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